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<i>Projects proposed to be undertaken in the Third Five-Year Plan:</i>				
1. Upper Krishna Project.	891	5,33,000	Stage II & III which are not yet proposed to be taken up would bring the total irrigation on the project to 8.5 and 12.00 lakhs acres respectively.	
		Total...	5,33,000	
		Grand Total...	21,17,856	

CHAIR'S RULING RE : ALLOTMENT OF DAYS FOR NON-OFFICIAL BUSINESS, ETC.

Mr. DEPUTY SPEAKER.—Yesterday after the question-hour, Hon'ble Members Sri M. C. Narasimhan, Sri Sreenivasa Shetty and several others raised the question of the duration of the present series of sittings of the Assembly and insisted that it was not permissible for the Session to adjourn at the conclusion of the business set down for today.

Sri M. C. Narasimhan referred to the first proviso to rule 28. Sri Srinivasa Shetty referred to the allotment of days for the several resolutions mentioned in the Report of the Committee on private Members' Bills and Resolutions.

Stated shortly, Sri M. C. Narasimhan's contention was that under the first proviso to Rule 28 not less than 2 days for every 14 days of Government business should be allotted for private members' business, that nearly two months had been taken up by Government business and not less than 8 days should be allotted for non-official business, and that though four days had so far been allotted for this kind of business, even that was proposed to be cut down to two, which was not in order and was beyond the powers of the Speaker.....

The Hon'ble Member, Sri Srinivasa Shetty contended that the Report of the Committee on private Members' Business had specifically mentioned dates—25, 26, 27, 28, that this report had been adopted by the House and that therefore the House must be deemed to have agreed to sit up to the 28th and that it was therefore not permissible for the Speaker to adjourn the House today.

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In order to make the position clear, I have to refer in some detail to the several Rules of Procedure. At the outset, I have to mention that under Rule 3, the Assembly will sit only on such days as the Speaker having regard to the state of business of the Assembly, may from time to time direct. This rule is quite specific that the power has been given by the House to the Speaker to determine on what days the Assembly should sit and such determination may be from time to time. Secondly, Rule 28 empowers the Speaker to allot so many days as may be compatible with public interest for private Members' business. Thirdly, I would like to refer to rule 267 (a) which relates to the powers of the Committee on private Members' Business. According to this Rule, the functions of the Committee are *inter alia* to recommend the time limit for the discussion of private Member's resolutions and other ancillary matters. From this Rule it is clear that what the Committee on Private Members' Business can do is merely to fix the time that should be allotted for the discussion of individual resolutions. It is not and it cannot be the function of that committee to specify the actual dates on which the private Members' Business should be taken up because this is a function that the House has specifically given to the Speaker under Rule 13. It is no doubt true that in the Report presented to the House, dates have been mentioned. This is obviously an error and has probably arisen because in the original programme of business days had been set apart for non-official resolutions and dates had also been mentioned. Whatever the Report may contain, so long as the mention of specific dates was outside the function or the purview of the Committee, we cannot take notice of it. More so because it directly impinges on the power vested in the Speaker under Rule 13.

I now come to the first proviso to Rule 28. Sri M. C. Narasimhan contended and it is perfectly true that not less than 2 days for every 14 days of Government business should be given to non-official business. This does not mean that at the end of every 14 days of Government business, two days should be allotted for private member's business. In fact what this proviso means is that from out of the total time taken during a Session of the Assembly, private members' business should bear relation to Government business in the proportion of 2:14. In this connection, I would refer to the statement made by the Hon'ble Chief Minister that during this Session, he had certainly no objection and he would himself agree to the allotment of time for non-official business in accordance with this proviso. At the end of the adjournment of this series of sitting, the Session does not terminate. We are going to meet again and the subsequent meetings will be part of the present Session. So long as the time allotted for the non-official business in relation to the entire period of the Session does not infringe this proviso, Hon'ble Members can have no valid objection.

From what I have said above, and keeping in view the specific provisions of Rule 13, I am sure that Hon'ble Members will agree that the right to adjourn or summon vests in the Speaker. Having vested this power in the Speaker, it is not desirable that the Members should question the exercise of this power by the Speaker. I may however mention that the Speaker in all these matters is always guided by the general sense of the House. By general sense is not meant the views expressed by individual members but by what may be termed roughly, the largest of consent to any proposal. I am convinced that a large number of Members of this House are inclined to agree to the adjournment of this House at the end of today's business. We will probably be meeting again in July when adequate provision will be made for the transaction of non-official business in accordance with the first proviso to Rule 28.

During the discussion on Sri M. C. Narasimhan's Resolution yesterday, the Hon'ble Member Sri C.K. Rajaiah Shetty made reference to some acquisition cases in Tumkur and made certain allegations against the Hon'ble Minister for L. S. G. By way of personal explanation, the Minister said that the particular acquisition in question was not a proper acquisition under the Land Acquisition Act, that two Courts had held against it and that it was under this circumstance that he had to rule out an appeal against the order of the trial Court. The Hon'ble Member Sri C. K. Rajaiah Shetty immediately challenged this statement of the Minister which he said was not true. The Hon'ble Minister has kindly made available all the Government records for my perusal. I have looked into them very carefully.

The facts of the case are that 19 persons filed an original suit in the Court of the Civil Judge, Tumkur, to declare the Land Acquisition proceedings as *ultra vires*. The main contention of the plaintiff was that the land was sought to be acquired for being divided into sites and for being sold for profit and this was not a public purpose within the meaning of the Act to entitle Government to acquire. The trial Court upheld the contention of the plaintiff and decreed the suit. The higher Court to which appeal was taken reversed the decree and sent back the case for parties to adduce further evidence. The parties did not adduce further evidence and the trial Court again decreed the suit.

It will be seen that from these facts, the statement of the Hon'ble Minister that on two occasions the Courts had held against the acquisition, is amply borne out. It is also seen that the appeal Court did not reverse this decree on merits but only in order to enable the parties to adduce evidence.

It is always desirable that the statement made by the Ministers are taken as emanating from an office of authority and should be treated as being made with a sense of responsibility. They should not be lightly challenged unless the Hon'ble Member doing so has facts at his disposal to dispute the statement of Minister. Even in such cases, the normal

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practice is for the member to bring to the notice of the Speaker privately the facts at his disposal which disprove the statement made by the Minister. If the Speaker is satisfied, he will call upon the Minister to explain how he made the statement or correct the same. To challenge statements of Ministers on the floor of the House when they are not borne out by sufficient authority or facts, is not desirable and is not in keeping with the dignity of the House, nor is it the accepted parliamentary procedure. I am sure that in future, Hon'ble Members if they want to challenge statements of Ministers on facts will do so in accordance with the procedure I have outlined above, instead of making an open challenge on the floor of the House in circumstances which render it impossible for the Speaker to decide then and there who is right and who is wrong.

2-00 P.M.

Sri J. B. MALLARADHYA.—Sir, while we bow to the decision of the Chair, I want to know whether we are going to adjourn today or are you going to give us two more days. It rests with the Leader of the House to tell us whether there is any change in his outlook.

Sri B. D. JATTI.—Sir, I am very happy that all of us agree to the decision given by the Chair. I wish we shall sit tomorrow in the morning and close. One day may be allotted in the next session for the non-official business that is remaining.

Sri C. M. ARUMUGHAM.—Sir, you have given a ruling that you have got to adjourn the House. Yesterday you said and to-day is the last day.

Sri B. D. JATTI.—Sir, the Speaker is the final authority to decide the date and time. He does not say that we will not sit tomorrow. If the House consents, we will sit tomorrow.

Sri U. M. MADAPPA (Chamarajanagar).—Sir, according to Rule 11, when the Speaker goes out of India, he has to delegate his powers to the Deputy Speaker in writing. We want to know what is exactly the position now. Supposing we want to refer anything to the Speaker and he is not in station; what are we to do?

Sri B. D. JATTI.—Sir, in the absence of the Speaker, the Deputy Speaker acts for him. There is no doubt at all. He will act as the Speaker till the Speaker comes back.

Sri U. M. MADAPPA.—Sir, the procedure is very clear. It must be in writing. Sir, the Speaker is not the Chief Minister and the Chief Minister is not the Speaker. They have different duties. The Chair must say clearly whether the powers are delegated to the Deputy Speaker in writing by the Speaker. I want to know whether you are in-charge of the office or not.

Sri B. D. JATTI.—Sir, this is not a point of order. It is unnecessary for the Speaker to give a ruling on this. The Deputy Speaker acts as the Speaker.

Sri V. SRINIVASA SHETTY.—Sir, I rise to a point of order. We are all arguing without reading rule 11. I should like to read the rule itself :

“ When by reason of illness or absence from India or for any other sufficient cause, the Speaker is unable to exercise any of his powers or discharge any of his functions, he may by order in writing delegate to the Deputy Speaker such of his powers and functions as he may deem fit. He may likewise revoke any such delegation. ”

What my friend wanted to know was, whether the Speaker has delegated in writing under rule 11, to the Deputy Speaker. This is all what the House is interested to know.

Sri B. D. JATTI.—If the Hon'ble Member reads article 180 (2) of the Constitution, he will understand it.

“ During the absence of the Speaker from any sitting of the Assembly the Deputy Speaker or, if he is also absent, such person as may be determined by the rules of procedure of the Assembly, or, if no such person is present, such other person as may be determined by the Assembly, shall act as Speaker. ”

This is very clear ; there is no doubt about it.

ಶ್ರೀ ಕೆ. ವಿ. ರೇವಣ್ಣ ನಿರ್ದೇಶ.—ಅಧ್ಯಕ್ಷರೇ ತಾವು ಶ್ರೀ ರಾಜಯ್ಯಕಟ್ಟರಿಂದ ಯಾವ ದಾದರೂ ರೆಕಾರ್ಡುಗಳನ್ನು ಕೇಳಿ ತೆಗೆದುಕೊಳ್ಳುವುದಕ್ಕೆ ತಮಗೆ ಅವಕಾಶ ಇರುತ್ತದೆಯೇ ?

NON-OFFICIAL RESOLUTION *RE* : CHANGING THE PRESENT NAME OF MYSORE STATE TO KARNATAKA.

Motion to adjourn consideration to the next session.

Sri K. S. SURYANARAYANA RAO.—Sir, under rule 277 of the Rules of procedure and sub-rule (1) of rule 13,

I beg to move : “ That the debate on the resolution be adjourned to the next session. ”

Mr. DEPUTY SPEAKER.—Motion moved :

“ That the debate on the resolution be adjourned to the next session. ”

†Sri V. SRINIVASA SHETTY (Coondapur).—Sir, I am really astounded at the methods and tactics used by the other side concerning this resolution. Now what is the real motive behind all this, I am unable to understand. The resolution is moved by a member belonging to the other side. This is policy for which most of us have committed. Of course, there are differences of opinion. But, most of us have committed to this policy. This is a resolution which is coming for the inteenth time before this House. The Members of the ruling party and the cabinet are in doll-drums. They have not either made up their minds